

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

United States District Court
Southern District of Texas
ENTERED

SEP - 6 2011

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA,	§	
	§	
<i>Plaintiff,</i>	§	CONSOLIDATED
	§	
v.	§	CASE NO. 7:08-CV-213
	§	(Lead Case)
0.61 ACRES OF LAND, MORE OR LESS,	§	
SITUATE IN HIDALGO COUNTY,	§	CASE NO. 7:11-CV-258
TEXAS; AND PAMELA RIVAS, ET AL.,	§	(Member Case)
	§	
<i>Defendants.</i>	§	

AGREED POSSESSION ORDER


Before the Court is United States of America's Agreed Motion for Order of Immediate Possession. After considering same, the Court grants the motion as follows:

IT IS HEREBY ORDERED that all Defendants to this action and all persons in possession or control of Tracts RGV-MCS-1006-1, RGV-MCS-1006-2, RGV-MCS-1006-4, RGV-MCS-1006E-1, RGV-MCS-1006E-2, RGV-MCS-1006E-3, and RGV-MCS-1004E-5 as more particularly described in Schedules "C" and "D" of the Complaints (Docket No. 1 in 7:08-cv-213 and Docket No. 1 in 7:11-cv-258) and the Declarations of Taking (Docket No. 2 in 7:08-cv-213 and Docket No. 2 in 7:11-cv-258) filed herein; shall surrender possession of said property to the extent of the estates being condemned, to the United States of America immediately.

For Tract RGV-MCS-1004E-5, as stated in Schedule "E" of the Complaint (Docket No. 1 in 7:11-cv-258), landowner reserves the rights, including crossing the land, that will not interfere with the rights conveyed in the easement.

IT IS FURTHER ORDERED that a notice of this Order shall be served upon all persons in possession or control of the said property forthwith.

SIGNED this 6th day of Sept, 2011.


ANDREW S. HANEN
United States District Judge

AGREED AS TO FORM AND SUBSTANCE:

FOR DEFENDANT:

PAMELA RIVAS,
Defendant

FOR PLAINTIFF:

José Angel Moreno
United States Attorney

By: s/ David C. Garza (by permission)

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